
HOUSE BILL 1363

State of Washington

52nd Legislature

1991 Regular Session

By Representatives Betrozoff, Brumsickle, Peery, Brough, G. Fisher, Valle, Cole, Vance, Winsley, P. Johnson, Horn, Paris, Ballard, Broback, Pruitt, Phillips, Tate and Orr.

Read first time January 28, 1991. Referred to Committee on Education\Appropriations.

1 AN ACT Relating to education; amending RCW 28A.150.260; and adding
2 new sections to chapter 28A.150 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.150
5 RCW to read as follows:

6 (1) Resources provided by the state for the funding of basic
7 education shall be used to the greatest degree possible in the
8 provision of direct instructional services to students by direct
9 instructional personnel. Direct instructional personnel are persons who
10 work directly with students on a day-to-day basis to implement basic
11 education goals. Direct instructional personnel shall have the highest
12 funding priority.

13 (2) In recognition of the importance of a child's early educational
14 experiences, the greatest amount of direct instructional personnel
15 shall be assigned to students in grades kindergarten through three to

1 assure the lowest class size and most assistance in addressing
2 student's special needs.

3 (3) The highest priority of direct instructional personnel shall be
4 in the teaching of the basic skills of reading, writing, arithmetic,
5 English grammar, listening, speaking, and thinking to the students in
6 their care considering their individual needs and abilities. Other
7 responsibilities assigned to the public schools shall not distract from
8 the schools' primary mission of carrying out the intent and goals of
9 basic education.

10 (4) School districts shall evaluate programs to assess the
11 effectiveness of their programs in increasing basic skills achievement,
12 reducing the dropout rate, developing effective discipline and school
13 management standards, and assuring that the greatest concentration of
14 resources are directed at direct instructional services and that these
15 services are effective, efficient, and under review to assure continued
16 improvement.

17 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.150
18 RCW to read as follows:

19 (1) During the 1991-92 school year and each subsequent school year
20 up to and including the 1995-96 school year, school districts shall
21 conduct a staff development program that meets the goals of section 1
22 of this act. In conducting the staff development program, priority
23 shall be given to certificated and classified staff who provide
24 instruction directly to children.

25 (2) To carry out the purposes of subsection (1) of this section,
26 the superintendent of public instruction shall annually allocate to
27 school districts funds for each full-time equivalent certificated
28 instructional staff member who provides instruction directly to
29 students. The amount allocated for each of the full-time equivalent

1 certificated instructional staff providing instruction directly to
2 students shall total: (a) For the 1991-92 school year, two thousand
3 dollars; (b) for the 1992-93 school year, two thousand two hundred
4 fifty dollars; (c) for the 1993-94 school year, two thousand five
5 hundred dollars; (d) for the 1994-95 school year, two thousand seven
6 hundred fifty dollars; and (e) for the 1995-96 school year, three
7 thousand dollars.

8 (3) To carry out the purposes of subsection (1) of this section,
9 the superintendent of public instruction shall annually allocate to
10 school districts funds for each full-time equivalent classified staff
11 member who provides instruction directly to students. The amount
12 allocated for each of the full-time equivalent classified instructional
13 staff providing instruction directly to students shall total: (a) For
14 the 1991-92 school year, one thousand dollars; (b) for the 1992-93
15 school year, one thousand one hundred twenty-five dollars; (c) for the
16 1993-94 school year, one thousand two hundred fifty dollars; (d) for
17 the 1994-95 school year, one thousand three hundred seventy-five
18 dollars; and (e) for the 1995-96 school year, one thousand five hundred
19 dollars.

20 (4) In-service and continuing education credits earned in the staff
21 development programs established in subsection (1) of this section
22 shall be used to meet any applicable teacher continuing education
23 requirements and for state salary allocation purposes under RCW
24 28A.150.410.

25 **Sec. 3.** RCW 28A.150.260 and 1990 c 33 s 108 are each amended to
26 read as follows:

27 The basic education allocation for each annual average full time
28 equivalent student shall be determined in accordance with the following
29 procedures:

1 (1) The governor shall and the superintendent of public instruction
2 may recommend to the legislature a formula based on a ratio of students
3 to staff for the distribution of a basic education allocation for each
4 annual average full time equivalent student enrolled in a common
5 school. The distribution formula shall have the primary objective of
6 equalizing educational opportunities and shall provide appropriate
7 recognition of the following costs among the various districts within
8 the state:

9 (a) Certificated instructional staff and their related costs;

10 (b) Certificated administrative staff and their related costs;

11 (c) Classified staff and their related costs;

12 (d) Nonsalary costs;

13 (e) Extraordinary costs of remote and necessary schools and small
14 high schools, including costs of additional certificated and classified
15 staff; and

16 (f) The attendance of students pursuant to RCW 28A.335.160 and
17 28A.225.250 who do not reside within the servicing school district.

18 (2)(a) This formula for distribution of basic education funds shall
19 be reviewed biennially by the superintendent and governor. The
20 recommended formula shall be subject to approval, amendment or
21 rejection by the legislature. The formula shall be for allocation
22 purposes only. While the legislature intends that the allocations for
23 additional instructional staff be used to increase the ratio of such
24 staff to students, nothing in this section shall require districts to
25 reduce the number of administrative staff below existing levels.

26 (b) (~~The formula adopted by the legislature for the 1987-88 school~~
27 ~~year shall reflect the following ratios at a minimum: (i) Forty eight~~
28 ~~certificated instructional staff to one thousand annual average full~~
29 ~~time equivalent students enrolled in grades kindergarten through three;~~
30 ~~(ii) forty six certificated instructional staff to one thousand annual~~

1 ~~average full time equivalent students enrolled in grades four through~~
2 ~~twelve; (iii) four certificated administrative staff to one thousand~~
3 ~~annual average full time equivalent students enrolled in grades~~
4 ~~kindergarten through twelve; and (iv) sixteen and sixty-seven one-~~
5 ~~hundredths classified personnel to one thousand annual average full~~
6 ~~time equivalent students enrolled in grades kindergarten through~~
7 ~~twelve.~~

8 (e)) The formula adopted by the legislature for the 1991-92 school
9 year shall reflect the following ratios at a minimum: (i) Fifty-seven
10 certificated instructional and administrative staff to one thousand
11 annual average full time equivalent students enrolled in grades
12 kindergarten through three; (ii) fifty-one certificated instructional
13 and administrative staff to one thousand annual average full time
14 equivalent students enrolled in grades four through twelve; and (iii)
15 seventeen classified personnel to one thousand annual average full time
16 equivalent students enrolled in grades kindergarten through twelve.

17 (c) The formula adopted by the legislature for the 1992-93 school
18 year shall reflect the following ratios at a minimum: (i) Fifty-eight
19 certificated instructional and administrative staff to one thousand
20 annual average full time equivalent students enrolled in grades
21 kindergarten through three; (ii) fifty-two certificated instructional
22 and administrative staff to one thousand annual average full time
23 equivalent students enrolled in grades four through twelve; and (iii)
24 eighteen classified personnel to one thousand annual average full time
25 equivalent students enrolled in grades kindergarten through twelve.

26 (d) The formula adopted by the legislature for the 1993-94 school
27 year shall reflect the following ratios at a minimum: (i) Fifty-nine
28 certificated instructional and administrative staff to one thousand
29 annual average full time equivalent students enrolled in grades
30 kindergarten through three; (ii) fifty-three certificated instructional

1 and administrative staff to one thousand annual average full time
2 equivalent students enrolled in grades four through twelve; and (iii)
3 nineteen classified personnel to one thousand annual average full time
4 equivalent students enrolled in grades kindergarten through twelve.

5 (e) The formula adopted by the legislature for the 1994-95 school
6 year shall reflect the following ratios at a minimum: (i) Sixty
7 certificated instructional and administrative staff to one thousand
8 annual average full time equivalent students enrolled in grades
9 kindergarten through three; (ii) fifty-four certificated instructional
10 and administrative staff to one thousand annual average full time
11 equivalent students enrolled in grades four through twelve; and (iii)
12 twenty classified personnel to one thousand annual average full time
13 equivalent students enrolled in grades kindergarten through twelve.

14 (f) Commencing with the 1995-96 school year, the formula adopted by
15 the legislature shall reflect the following ratios at a minimum: (i)
16 Sixty-one certificated instructional and administrative staff to one
17 thousand annual average full time equivalent students enrolled in
18 grades kindergarten through three; (ii) fifty-five certificated
19 instructional and administrative staff to one thousand annual average
20 full time equivalent students enrolled in grades four through twelve;
21 and (iii) twenty classified personnel to one thousand annual average
22 full time equivalent students enrolled in grades kindergarten through
23 twelve.

24 (g) Commencing with the 1988-89 school year, the formula adopted by
25 the legislature shall reflect the following ratios at a minimum: (i)
26 Forty-nine certificated instructional staff to one thousand annual
27 average full time equivalent students enrolled in grades kindergarten
28 through three; (ii) forty-six certificated instructional staff to one
29 thousand annual average full time equivalent students in grades four
30 through twelve; (iii) four certificated administrative staff to one

1 thousand annual average full time equivalent students in grades
2 kindergarten through twelve; and (iv) sixteen and sixty-seven one-
3 hundredths classified personnel to one thousand annual average full
4 time equivalent students enrolled in grades kindergarten through
5 twelve.

6 (~~(d)~~) (h) In the event the legislature rejects the distribution
7 formula recommended by the governor, without adopting a new
8 distribution formula, the distribution formula for the previous school
9 year shall remain in effect: PROVIDED, That the distribution formula
10 developed pursuant to this section shall be for state apportionment and
11 equalization purposes only and shall not be construed as mandating
12 specific operational functions of local school districts other than
13 those program requirements identified in RCW 28A.150.220 and
14 28A.150.100. The enrollment of any district shall be the annual
15 average number of full time equivalent students and part time students
16 as provided in RCW 28A.150.350, enrolled on the first school day of
17 each month and shall exclude full time equivalent handicapped students
18 recognized for the purposes of allocation of state funds for programs
19 under RCW 28A.155.010 through 28A.155.100. The definition of full time
20 equivalent student shall be determined by rules and regulations of the
21 superintendent of public instruction: PROVIDED, That the definition
22 shall be included as part of the superintendent's biennial budget
23 request: PROVIDED, FURTHER, That any revision of the present
24 definition shall not take effect until approved by the house
25 appropriations committee and the senate ways and means committee:
26 PROVIDED, FURTHER, That the office of financial management shall make
27 a monthly review of the superintendent's reported full time equivalent
28 students in the common schools in conjunction with RCW 43.62.050.

29 (3) (a) Certificated instructional staff shall include those
30 persons employed by a school district who are nonsupervisory employees

1 within the meaning of RCW 41.59.020(8): PROVIDED, That in exceptional
2 cases, people of unusual competence but without certification may teach
3 students so long as a certificated person exercises general
4 supervision: PROVIDED, FURTHER, That the hiring of such
5 noncertificated people shall not occur during a labor dispute and such
6 noncertificated people shall not be hired to replace certificated
7 employees during a labor dispute.

8 (b) Certificated administrative staff shall include all those
9 persons who are chief executive officers, chief administrative
10 officers, confidential employees, supervisors, principals, or assistant
11 principals within the meaning of RCW 41.59.020(4).

12 (4) Each annual average full time equivalent certificated classroom
13 teacher's direct classroom contact hours shall average at least twenty-
14 five hours per week. Direct classroom contact hours shall be exclusive
15 of time required to be spent for preparation, conferences, or any other
16 nonclassroom instruction duties. Up to two hundred minutes per week
17 may be deducted from the twenty-five contact hour requirement, at the
18 discretion of the school district board of directors, to accommodate
19 authorized teacher/parent-guardian conferences, recess, passing time
20 between classes, and informal instructional activity. Implementing
21 rules to be adopted by the state board of education pursuant to RCW
22 28A.150.220(6) shall provide that compliance with the direct contact
23 hour requirement shall be based upon teachers' normally assigned weekly
24 instructional schedules, as assigned by the district administration.
25 Additional record-keeping by classroom teachers as a means of
26 accounting for contact hours shall not be required. However, upon
27 request from the board of directors of any school district, the
28 provisions relating to direct classroom contact hours for individual
29 teachers in that district may be waived by the state board of education
30 if the waiver is necessary to implement a locally approved plan for

1 educational excellence and the waiver is limited to those individual
2 teachers approved in the local plan for educational excellence. The
3 state board of education shall develop criteria to evaluate the need
4 for the waiver. Granting of the waiver shall depend upon verification
5 that: (a) The students' classroom instructional time will not be
6 reduced; and (b) the teacher's expertise is critical to the success of
7 the local plan for excellence.